

Appin. No. Serial No. 10/529,809
Response to Office Action of 1/3/07
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REMARKS

The foregoing amendment amends Claims 1, 7 and 9 so that Claims 1-3, 5-7, and 9-18 are pending in this application, with Claim 3 being withdrawn.

Objection to Claims 9 and 15-18

The Examiner objected to Claims 9 and 15-18 due to a typographical error in Claim 9. The foregoing amendment amends Claim 9 to correct the typographical error to address this objection.

The Cited References Do Not, Describe, Teach or Suggest the Claimed Invention

The Examiner rejected Claims 1, 5 and 6 under 35 U.S.C. §102(b) alleging that the claims are anticipated by Ishizaki (JP 2001-151020), rejected Claims 7 and 11-13 under 35 U.S.C. §103(a) alleging that the claims are unpatentable over Ishizaki in view of Oesterholt (6,130,514), and rejected Claims 2, 9 10 and 14-18 under 35 U.S.C. §103(a) alleging that the claims are unpatentable over Ishizaki in view of Oesterholt. Ishizaki and Oesterholt, do not, either singularly, or in combination, describe the claimed invention.

In rejecting Claim 1, the Examiner alleged that paragraph 0021 of Ishizaki describes that "the cylindrical portion is rotatable relative to the shaft in such a manner as to be in contact with the shaft." Paragraph 0021 of Ishizaki describes that the cover 6 includes a support portion 29 into which the end of the shaft 2 is mated, but it does not describe that the cylindrical portion is rotatable relative to the shaft in such a manner as to be in contact with the shaft, as required by Claim 1. It is submitted that the Office Action does not provide sufficient support for the Examiner's allegation that Ishizaki describes this element of Claim 1 since the cited paragraph of Ishizaki does not describe any rotation about or contact with the shaft.

The foregoing amendment to Claims 1, 7 and 9 requires that the end portion cover and the penetration end surface are configured to define a space therebetween in the axial direction of the shaft, in such a manner as to be free from contact therebetween. Support for this amendment can be found in Figure 3. Oesterholt teaches away from this element since Fig. 4 of Oesterholt illustrates that the inclined tip is in contact with the end surface of the shaft.

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The foregoing amendment to Claims 1, 7 and 9 also requires that the first end and second end of the end portion cover are aligned on a line substantially parallel to the axial direction of the shaft. Support for this amendment can be found in Figure 3. Oesterholt also teaches away from this element since Fig. 4 of Oesterholt shows that the ends of the inclined tip are inclined, not parallel to the axial direction of the shaft as required by the claims.

Claims 2, 5 and 6 depend from Claim 1, Claims 10-14 depend from Claim 7 and Claims 15-18 depend from Claim 9. The dependent claims are patentable for at least the reasons given for the independent claims from which they depend.

In rejecting Claim 2, the Examiner alleged that Fig. 4 of Oesterholt describes an end portion cover having an inclined tip which extends in a first direction more inwardly than the inner cylindrical face of the shaft, wherein the cylindrical portion and the end portion form substantially an L-shape in cross section. Claims 2, 10 and 15 recite that the tip of the cylindrical portion is inclined toward the shaft in a free state. The tip of the cylindrical portion is distinct from the end portion cover. Figure 4 of Oesterholt illustrates that the end of the inclined tip is inclined, but does not illustrate the cylindrical portion in a free state. It is submitted that the Office Action does not provide sufficient support for the Examiner's allegation that Oesterholt describes this element of the claims

CONCLUSION

The foregoing is submitted as a complete response to the Office Action identified above. This application should now be in condition for allowance, and the Applicants solicit a notice to that effect. If there are any issues that can be addressed via telephone, the Examiner is asked to contact the undersigned at 404.685.6799.

Respectfully submitted,



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